HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.23014 of 2006

Dated:08.11.2006

Between:

Mamidi Shiva Reddy.

…Petitioner

and

The District Collector and others.

…Respondent

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.23014 of 2006

ORDER:

The petitioner alleges that he is a member of the joint family consisting of himself and respondents 4 to 8 which allegedly owns lands in Survey Nos.302, 304, 323, 324, 328, 329 and 310 admeasuring about Acs.22.00 situated at Pinjarla Village. A suit was filed on the file of the Court of the Junior Civil Judge, Shadnagar, for partition. The same, being O.S.No.112 of 1998, was decreed. Aggrieved by the same, the petitioner filed A.S.No.80 of 2003 on the file of the Court of the District Judge, Mahabubnagar, which is still pending. At that stage, having come to know that respondents 4 to 8 approached the Mandal Revenue Officer (MRO), the second respondent herein, for pattadar passbooks and title deeds, the petitioner made an application on 31.10.2006 to the MRO raising objections and requesting to consider the applications as per law. The petitioner alleges that the second respondent refused to receive the objections, and therefore, he filed the present Writ Petition.

This Court has perused the representation dated 31.10.2006 filed by the petitioner before the second respondent. The same does not give any details nor the learned Counsel for the petitioner is able to say as to when the MRO initiated enquiry under Rule 19 of the Andhra

Pradesh Rights in Land and Pattadar Pass Books Rules, 1989 (for short 'the Rules'), and when a notice in Form VIII of the Rules was issued inviting objections. Unless and until the MRO invites objections while issuing pattadar passbooks, it would not be proper for this Court to consider the objections filed by the petitioner. The petitioner therefore, may file objections as and when the notice is issued by the MRO. It is always open to the petitioner to obtain appropriate orders from the appellate Court in A.S.No.80 of 2003 in this regard. The petitioner filed application before the MRO on 31.10.2006, and even before expiry of one week, he approached this Court. The Writ Petition, therefore, cannot be entertained.

The Writ Petition is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

08.11.2006
vs